

OCT - 6 1995

EXPRESS MAIL
RETURN RECEIPT REQUESTED

Mr. J. Dieter Stein, President and Chief Executive Officer
BASF Corporation
8 Campus Drive
Parsippany, New Jersey 07054

CO: Mr. Dale E. Webster

Re: Second Request for Information Under 42 U.S.C. §9601 et seq.
Diamond Alkali Superfund Site, Operable Unit 2

Dear Mr. Stein:

The United States Environmental Protection Agency ("EPA") has reviewed your responses to the "Request for Information" letter dated January 28, 1994. EPA requests that you answer the questions in the attached sheet and include documentation substantiating your response. Please note that all the statutory provisions and instructions in EPA's prior "Request for Information" letters are applicable to the information requested in this letter.

Pursuant to these statutory provisions, EPA hereby requires that you provide the information requested in Attachment A of this letter, as well as documents supporting your responses, and include the "Certification of Answers to Request for Information," with your notarized signature.

In preparing your response to this "Request for Information," please follow the instructions provided in Attachment B.

Your response to this "Request for Information" should be postmarked or received by EPA within thirty (30) calendar days of your receipt of this letter. Your response should be mailed to:

Mr. Lance R. Richman, P.G.
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
290 Broadway, 19th Floor
New York, New York 10007-1866

843980001

Symbol	NNJS2	ORC	NNJS2	NJB2	NJP	DD	D
Surname	RICHMAN	WALKER	DIFORTE	BASSO	ERISCO	PAVLOU	CALLAHAN
Date	9/12	9/19/95	10/14/95	10/14/95	10/14/95	10/14/95	10/14/95

with a copy to Ms. Amelia Wagner, Assistant Regional Counsel, Office of Regional Counsel, 17th Floor at the same address.

Your failure to respond to this "Request for Information" within the time specified above may subject you to an enforcement action under Section 104(e)(5) of CERCLA, 42 U.S.C. §9604(e)(5), and/or Section 3008 of RCRA, 42 U.S.C. §6928. An enforcement action may include the assessment of penalties of up to \$25,000 for each day of continued noncompliance.

Be advised that you are under a continuing obligation to supplement your response if information not known or not available to you as of the date of submission of your response should later become known or available. If at any time in the future you obtain or become aware of additional information and/or find that any portion of the submitted information is false, misleading or misrepresents the truth, you must promptly notify EPA. If any part of your response is found to be untrue, you may be subject to criminal prosecution.

If desired, you may assert a business confidentiality claim covering all or part of the information requested by this letter. The claim must be supported by each of the four factors specified in Section 104(e)(7)(E) of CERCLA, 42 U.S.C. §9604(e)(7)(E), and must be asserted at the time of submission, by placing on (or attaching to) the information a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret" or "proprietary" or "company confidential." Information covered by such a claim will be disclosed by EPA only to the extent and by means of procedures set forth in Title 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

If you have any questions concerning this "Request for Information," please contact Mr. Richman, of my staff, at (212) 637-4409 or Ms. Wagner at (212) 637-3141. Inquiries from attorneys should be directed to Ms. Wagner.

Sincerely yours,

Kathleen C. Callahan, Director
Emergency and Remedial Response Division

Attachments

bcc: A. Wagner, ORC-SUP

843980002

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of _____

County of _____:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that my company is under a continuing obligation to supplement its response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or the company's response thereto should become known or available to the company.

NAME (print or type)

TITLE (print or type)

SIGNATURE

Sworn to before me this
day of _____, 19____

Notary Public

843980003

ATTACHMENT A

REQUEST FOR INFORMATION

Please provide the information requested below, including copies of all available documentation, that supports your answers.

1. Describe in detail, by period of operation, all the ways that process waste water, including sludge, and storm water was disposed of or managed by BASF from 1996 to the present including, but not limited to:
 - a. when the waste water pre-treatment program was initiated by BASF;
 - b. how waste waters and potentially contaminated storm waters were managed by BASF prior to the initiation of the pre-treatment program;
 - c. the composition of waste waters from BASF's various operations;
 - d. when BASF received its permit for the storm water outfall;
 - e. where and how storm water was disposed of prior to the receipt of the permit for the outfall;
 - f. how potentially contaminated storm water was managed;
 - g. how waste water or potentially contaminated storm water was stored on the property;
 - h. which waste waters were incinerated; and
 - i. what combination of waste waters were incinerated.

Include in your response a flowchart detailing the generation and final disposition of all waste water produced by BASF from 1966 to the present.

2. Describe the use and operation of any incinerators at the property including, but not limited to, when the incinerator was constructed, the chemical composition of the materials incinerated, the volume of materials incinerated, how many years the incinerator was operated, and the feed rates of the incinerator. Provide in your response documents relating to the use or operation of the incinerator, including the results of any trial burns conducted on the incinerator and stack test sampling.
3. Please describe in detail which BASF process generated the process waste water that was incinerated, how often this process waste water was incinerated, and with what (if anything) the process waste water was combined with before incineration.

4. Describe in detail the transaction between BASF and United Cork Company for the property at 50 Central Avenue, Kearny, New Jersey, including but not limited, the nature of the transaction (merger, asset purchase, etc.), the year of the transaction, any agreements regarding the assumptions or acquisition of liabilities, any guarantees, and any investigations performed by BASF regarding the property.
5. Describe the manufacturing processes of United Cork Company conducted on the property including, but not limited to, the equipment used in the processes, all raw materials used, the volume of raw material used, and all substances produced or that were a by-product of operations of United Cork.
6. Describe the process used by United Cork to clean and remove lignin in the manufacture of cork products.
7. Describe in detail, how process waste waters, storm waters and sanitary waters were disposed of or managed by United Cork Company at the property.
8. Describe in detail the chemical processes used at the facility for all operations including the palanil dyestuffs plant. For every process, include information regarding the following:
 - a. the equipment used in the process;
 - b. the volume of each raw material used;
 - c. the chemical composition of the raw material;
 - d. the purity of the raw material;
 - e. the raw materials combined in each reaction;
 - f. how long each reaction was allowed to run;
 - g. the temperature of each reaction;
 - h. the purity of the final product;
 - i. characteristics of process wastes and waste water associated with each process, as well as the final deposition of process wastes and waste water; and
 - j. a map of the facility indicating where each process occurred.
9. Provide all documents relating to the results of any investigations conducted at the property (whether mandated by federal, state, or local agencies or conducted voluntarily by BASF) including, but not limited to, analytical results of ground water, surface water, ambient air, and soil or sediment sampling, sampling plans, and a description of any remedial actions taken by BASF as a result of the investigations.

10. To the extent this information was not provided in response to question number 9, please provide information on the status of the ECRA review, including, but not limited to, analytical results of any sampling, sampling plans, and any remedial actions taken by BASF as a result of the investigation.
11. Provide the name, address, telephone number, title and occupation of the person(s) answering this "Request for Information" and state whether such person(s) has personal knowledge of the responses. In addition, identify each person who assisted in any way in responding to the "Request for Information" and specify the question to which each person assisted in responding.

ATTACHMENT B

INSTRUCTIONS FOR RESPONDING TO REQUEST FOR INFORMATION

1. A complete separate response must be made to each individual question in this "Request for Information".
2. Precede each answer with the number of the question to which it is addressed.
3. In preparing your response to each question, consult with all current or former employees and agents of your company who may be familiar with the matter to which the question pertains, as well as all documents in the custody of or under the control of PVSC.
4. Interpret "and" as well as "or" to include within the scope of the question as much information as possible. If two interpretations of a question are possible, use the one that provides more information.
5. If you are unable to give a detailed and complete answer or to provide any of the information or documents requested, indicate the reasons for your inability to do so.
6. If you have reason to believe that an individual other than one employed by your company may be able to provide additional details or documentation in response to any question, state that person's name, last known address, phone number and the reasons for your belief.
7. For each document produced in response to this "Request for Information", indicate on the document, or in some other reasonable manner, the number of the question to which it applies.
8. If anything is deleted from a document produced in response to this "Request for Information", state the reason for, and the subject matter of, the deletion.
9. Provide all documents that relate to each question. If a document is requested but is not available, state the reason for its unavailability. In addition, to the best of your ability, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.
10. As used herein "relate to" or "relating to" means constituting, defining, containing, embodying, reflecting, identifying, stating, referring to, dealing with, or in any way pertaining to. "Document" as used herein means any recording of information in tangible form, including memoranda, handwritten notes, invoices, checks, manifests, tape recordings, computer databases, or any tangible or physical objects however produced or reproduced upon which words or other information are affixed or recorded or from which by appropriate transcription written matter or a tangible thing may be produced.

11. Whenever in this "Request for Information" there is a request to identify a person or an entity other than a person, state the person or entity's full name, last known employment, present or last known home address, and telephone number.

12. As used herein, the term "facility," "hazardous substance," "person," and "release" shall have the meaning set forth in Section 101(9), (14), (21) and (22) of CERCLA, 42 U.S.C. §9601(9), (14), (21), and (22), respectively.

13. In answering these questions, every source of information to which you have access should be consulted, regardless of whether the source is in your immediate possession or control. All documents or other information in your possession or in the possession of the PVSC should be consulted. If you do not have access to certain information and/or documents, state the nature of this information and/or documents, and indicate in whose possession they can be found.